



05-13-05

JPW

Express Mail Label: **EV577672307US**

**REQUEST FOR
CORRECTED FILING
RECEIPT**

Address to:
Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney Docket	VITA-002CIP2
Applicant	LU, PETER S.
Serial Number	10/663,538
Filing Date	September 15, 2003
Group Art Unit	1641
Examiner Name	
Title:	"CLASP PROTEINS"

Sir:

A filing receipt for the above-identified patent application has been issued by the U.S. Patent and Trademark Office (copy attached) and has been found to contain the following error(s):

- (1) Please correct the "APPLICANT -inventor names, TITLE, and the DOMESTIC PRIORITY DATA" as indicated on the marked-up copy of the incorrect Filing Receipt, and the Supplemental Application Data Sheet.
- (2) Please change the line "~~and is a CIP of 09/736,960 12/13/2000 ABN~~" to be "which claims benefit of 60/196,527 4/11/2000 and is a CIP of 09/736,960 12/13/2000". Per the language set forth in the original and supplemental Application Data Sheet.
- (3) Four applications listed in the priority data are marked "ABN". The Applicants note that those applications were not abandoned prior to filing of the instant case since extensions of time were filed. Appropriate correction by removal of the term "ABN" from the four priority applications is respectfully requested. Courtesy copies of the Notices of Abandonment and the Requests for Extensions of Time are attached. If for any reason a fee is found to be necessary, the Commissioner is authorized to charge such fee to Deposit Account No. 50-0815 order VITA-002CIP2.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: May 11, 2005

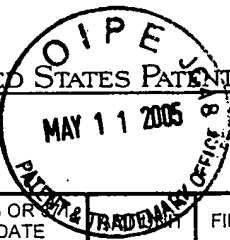
By: 

James S. Keddie, Ph.D.
Registration No. 48,920

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Avenue, Suite 200
East Palo Alto, California 94303
Telephone: (650) 327-3400
Facsimile: (650) 327-3231



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR (c) DATE	PATENT & TRADEMARK	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/663,538	09/15/2003	1641	459	VITA-002CIP2	180	20	5

CONFIRMATION NO. 5609

FILING RECEIPT



OC000000011310014

24353
BOZICEVIC, FIELD & FRANCIS LLP
200 MIDDLEFIELD RD
SUITE 200
MENLO PARK, CA 94025

COPY

Date Mailed: 11/20/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Peter S. Lu, Mountain View, CA;
— Jonathan David, San Jose, CA;
— Albert Frederick, Menlo Park, CA;

ADD FAMILY NAME: GARMAN

ADD FAMILY NAME: CANDIA III

Domestic Priority data as claimed by applicant

PLEASE UPDATE PER ATTACHED ADS.

This application is a CIP of 09/687,837 10/13/2000 ~~ABN~~
which is a CIP of 09/547,276 04/11/2000 ~~ABN~~
which claims benefit of 60/182,296 02/14/2000
and claims benefit of 60/176,195 01/14/2000
and claims benefit of 60/170,453 12/13/1999
and claims benefit of 60/162,498 10/29/1999
and claims benefit of 60/160,860 10/21/1999
This application 10/663,538
is a CIP of 09/978,244 10/15/2001
which claims benefit of 60/310,028 08/03/2001
and claims benefit of 60/240,545 10/13/2000
This application 10/663,538
is a CIP of 09/737,246 12/13/2000
which claims benefit of 60/196,267 04/11/2000
This application 10/663,538
is a CIP of 09/736,969 05/07/2001
~~and is a CIP of 09/736,960 12/13/2000 ABN~~
which claims benefit of 60/196,528 04/11/2000
This application 10/663,538
is a CIP of 09/736,968 12/13/2000 ~~ABN~~

change to: which claims benefit of 60/196,527 4/11/2000

This application is a CIP of 09/736,960 12/13/2000

PER ADS

RECEIVED

NOV 25 2003

Bozicevic, Field, & Francis

which claims benefit of 60/196,460 04/11/2000

Foreign Applications

If Required, Foreign Filing License Granted: 11/19/2003

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

~~CLASP proteins~~

CLASP PROTEINS

Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy

order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Please type a plus sign (+) inside this box →



PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/663,538
Filing Date	September 15, 2003
First Named Inventor	LU, PETER S.
Group Art Unit	1641
Examiner Name	

Total Number of Pages in This Submission 16

Attorney Docket Number VITA-002CIP2

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ol style="list-style-type: none">1. Request for Correct Filing Receipt2. Copy of marked-up incorrect Filing Receipt3. Supplemental Application Data Sheet4. Copies of Notice of Abandonment and Extension of Time from four applications5. Postcard
--	---	---

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Signing Attorney/Agent
(Reg. No.)

JAMES S. KEDDIE, PH.D., 48,920
BOZICEVIC, FIELD & FRANCIS, LLP

Signature

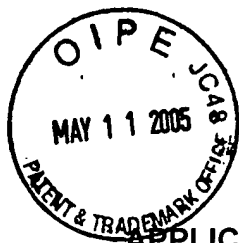
Date

May 11, 2005

EXPRESS MAIL LABEL NO. EV577672307US

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



APPLICATION INFORMATION

Application Type::	Utility
<u>Title::</u>	<u>CLASP PROTEINS</u>
Attorney Docket Number::	VITA-002CIP2
Request for Non-Publication?::	No
Assignee for Publication::	ARBOR VITA CORPORATION
Total Drawing Sheets::	180
Small Entity?::	Yes
License US Govt. Agency::	National Institute of Allergy and Infectious Disease
Contract or Grant Numbers::	1 R43 AI45724-01A2
Sequence Submission?::	Yes
Computer Readable Form (CRF)?::	No

INVENTOR INFORMATION

Inventor One Given Name::	PETER S.
Family Name::	LU
Postal Address Line One::	99 East Middlefield, No. 29
Postal Address Line Two::	
City::	Mountain View
State or Province::	California
Postal or Zip Code::	94043
Citizenship Country::	USA

Inventor Two Given Name::	JONATHAN DAVID
<u>Family Name::</u>	<u>GARMAN</u>
Postal Address Line One::	5084 McCoy Avenue
Postal Address Line Two::	
City::	San Jose
State or Province::	California
Postal or Zip Code::	95130
Citizenship Country::	USA

Inventor Three Given Name::	ALBERT FREDERICK
<u>Family Name::</u>	<u>CANDIA III</u>
Postal Address Line One::	199 Spruce Avenue
Postal Address Line Two::	
City::	Menlo Park
State or Province::	California
Postal or Zip Code::	94025
Citizenship Country::	USA

CORRESPONDENCE INFORMATION

Correspondence Customer Number:: 24353
Telephone One:: (650) 327-3400
Telephone Two:: (650) 833-7723
Fax:: (650) 327-3231
Electronic Mail:: keddie@bozpat.com

REPRESENTATIVE INFORMATION

Representative Customer Number:: 24353

CONTINUITY INFORMATION

This application is a::

> Application One::

Filing Date::

Continuation-in-part of

09/687,837

October 13, 2000

which is a::

> Application Two::

Filing Date::

Continuation-in-Part of

09/547,276

April 11, 2000

which claims benefit of::

>> Application Three::

Filing Date::

U.S. Provisional Patent

60/182,296

February 14, 2000

and claims benefit of::

>>> Application Four::

Filing Date::

U.S. Provisional Patent

60/176,195

January 14, 2000

and claims benefit of::

>>> Application Five

Filing Date::

U.S. Provisional Patent

60/170,453

December 13, 1999

and claims benefit of::

>>> Application Six

Filing Date::

U.S. Provisional Patent

60/162,498

October 29, 1999

and claims benefit of::

>>> Application Seven

Filing Date::

U.S. Provisional Patent

60/160,860

October 21, 1999

This Application is a::

>>> Application Eight

Filing Date::

Continuation-in-part of U.S. Patent

09/978,244

October 15, 2001

which claims benefit of::

>>> Application Nine

Filing Date::

U.S. Provisional Patent

60/310,028

August 3, 2001

and claims benefit of::

>>> Application Ten

Filing Date::

U.S. Provisional Patent

60/240,545

October 13, 2000

This Application is a::

>>> Application Eleven

Filing Date::

Continuation-in-part of U.S. Patent

09/737,246

December 13, 2000

which claims benefit of::
>>> Application Twelve
Filing Date::

U.S. Provisional Patent
60/196,267
April 11, 2000

This Application is a::
>>> Application Thirteen
Filing Date::

Continuation-in-part of U.S. Patent
09/736,969
May 7, 2001

which claims benefit of::
>>> Application Fourteen
Filing Date::

U.S. Provisional Patent
60/196,527
April 11, 2000

This Application is a::
>>> Application Fifteen
Filing Date::

Continuation-in-part of U.S. Patent
09/736,960
December 13, 2000

which claims benefit of::
>>> Application Sixteen
Filing Date::

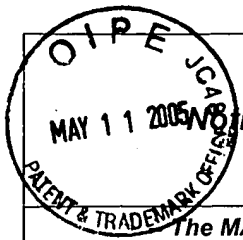
U.S. Provisional Patent
60/196,528
April 11, 2000

This Application is a::
>>> Application Seventeen
Filing Date::

Continuation-in-part of U.S. Patent
09/736,968
December 13, 2000

which claims benefit of::
>>> Application Eighteen
Filing Date::

U.S. Provisional Patent
60/196,460
April 11, 2000



Notice of Abandonment

Application No.

09/736,960

Examiner

Bridget E. Bunner

Applicant(s)

LU ET AL.

Art Unit

1647

The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 07 May 2003.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Elizabeth C. Kemmerer

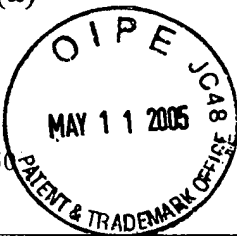
ELIZABETH KEMMERER
PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

**PETITION FOR EXTENSION
OF TIME UNDER 37 CFR
1.136(a)**

Address to:

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450



Customer Number	24353
Application Number	09/736,968
Confirmation Number	8280
Filing Date	December 13, 2000
First Named Inventor	LU, PETER S.
Examiner Name	BUNNER, BRIDGET E.
Group Art Unit	1647
Attorney Docket	VITA-006

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

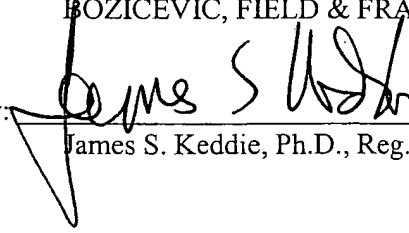
- ☐ One month (37 CFR 1.17(a)(1)) \$ _____
- ☒ Two months (37 CFR 1.17(a)(2)) \$ 410.00
- ☐ Three months (37 CFR 1.17(a)(3)) \$ _____
- ☐ Four months (37 CFR 1.17(a)(4)) \$ _____
- ☐ Five months (37 CFR 1.17(a)(5)) \$ _____
- ☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 205.00

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0815. If additional fees are required, including extensions of time, please consider this a petition therefore.

- I am the: ☐ applicant/inventor
- ☐ assignee of record of the entire interest.
See 37CFR 3.71. Statement under 37 C.F.R. § 3.73(b) is enclosed.
- ☒ attorney or agent of record

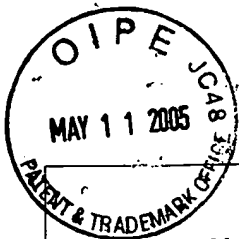
Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: September 15, 2003

By: 
James S. Keddie, Ph.D., Reg. No. 48,920

BOZICEVIC, FIELD & FRANCIS LLP
200 Middlefield Road, Suite 200
Menlo Park, CA 94025
Telephone: (650) 327-3400
Facsimile: (650) 327-3231

09/15/03
FILED



Notice of Abandonment

Application No.

09/547,276

Examiner

Bridget E. Bunner

Applicant(s)

LU ET AL.

Art Unit

1647

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

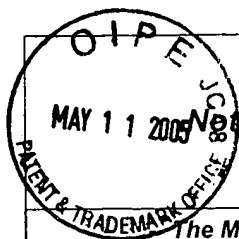
This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 01 August 2002.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

CHRISTINE J. SAOUD
PRIMARY EXAMINER

Christine J. Saoud

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



Notice of Abandonment

Application No.

09/687,837

Examiner

Bridget E. Bunner

Applicant(s)

LU ET AL.

Art Unit

1647

The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

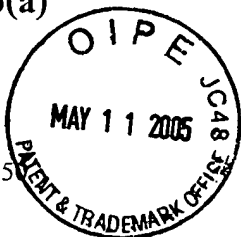
1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 14 March 2003.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Elizabeth C. Kemmerer

ELIZABETH KEMMERER
PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

**PETITION FOR EXTENSION
OF TIME UNDER 37 CFR**
1.136(a)
Address to:

 Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450


Customer Number	24353
Application Number	09/687,837
Confirmation Number	7707
Filing Date	October 13, 2000
First Named Inventor	LU, PETER S.
Examiner Name	BUNNER, BRIDGET E.
Group Art Unit	1647
Attorney Docket	VITA-002CIP

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

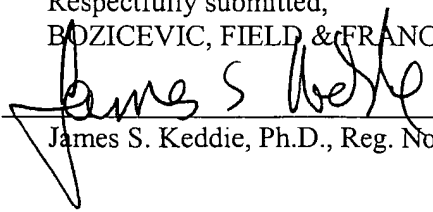
The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- ☐ One month (37 CFR 1.17(a)(1)) \$ _____
☐ Two months (37 CFR 1.17(a)(2)) \$ _____
☒ Three months (37 CFR 1.17(a)(3)) \$ 930.00
☐ Four months (37 CFR 1.17(a)(4)) \$ _____
☐ Five months (37 CFR 1.17(a)(5)) \$ _____
☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 465.00

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0815. If additional fees are required, including extensions of time, please consider this a petition therefore.

- I am the:
- ☐ applicant/inventor
☐ assignee of record of the entire interest.
 See 37CFR 3.71. Statement under 37 C.F.R. § 3.73(b) is enclosed.
☒ attorney or agent of record

Respectfully submitted,
 BOZICEVIC, FIELD & FRANCIS LLP

By: 
 James S. Keddie, Ph.D., Reg. No. 48,920

Date: September 15, 2003

BOZICEVIC, FIELD & FRANCIS LLP
 200 Middlefield Road, Suite 200
 Menlo Park, CA 94025
 Telephone: (650) 327-3400
 Facsimile: (650) 327-3231

